



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): MOSES, Elisha et al.

Examiner:

SMITH, JOHNNIE L

Serial No.: 10/516,407

Group Art Unit: 2881

Filed: December 2, 2004

Title: LOW PRESSURE CHAMBER FOR SCANNING ELECTRON MICROSCOPY
IN A WET ENVIRONMENT

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, this Information Disclosure Statement includes Form PTO/SB/08:

1. ☒ listing documents including patents, publications and other information for consideration by the Examiner, however, since the subject application was filed after June 30, 2003, copies of United States patents and/or United States patent application publications are not included in this information disclosure statement; and/or
2. ☐ listing documents including patents, publications and other information that have been previously cited or submitted to the Patent Office in prior application U.S. Serial No. _____, filed _____ which is properly identified and relied on for an earlier effective filing date under 35 U.S.C. 120 for consideration by the Examiner; however, in accordance with 37 C.F.R. 1.98(d), copies of such documents are not included in this information disclosure statement; and/or
3. ☒ listing documents including patents, publications, and other information for consideration by the Examiner, copies of which are included with this information disclosure statement;
4. ☐ listing other information for the Examiner's consideration which was cited in a communication from a foreign patent office in a counterpart foreign application, a copy of which is included with this information disclosure statement.

The information herein cited is only in fulfillment of Applicant(s) duty of candor in disclosing all information brought to Applicant(s) attention. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant(s) reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant(s) further reserve(s) the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each and every document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application and is evidence that the Examiner has considered the document.

This Information Disclosure Statement is being filed:

I) ☒ Within three (3) months of filing the subject Application or entry of the subject Application into the national stage or before mailing of the first Office Action on the merits of the subject Application or a request for continued examination thereof, whichever event occurs last pursuant to of 37 C.F.R §1.97 (b); or

II) ☐ After the period specified in (I) but before the mailing date of either a final Official Action under 37 C.F.R §1.113 or a notice of allowance under 37 C.F.R §1.311 whichever occurs first and;

1. ☐ the undersigned hereby states that each item of information listed on the Form PTO-1449 was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement or (ii) not cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, not known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this information disclosure statement; or

2. ☐ the undersigned hereby authorizes the Patent Office to charge the fee in the amount of \$180.00 under 37 C.F.R §1.17 (p) to Deposit Account 50-3355.

III) ☐ After the period in (I) and (II) but before the payment of the issue fee and,

1. The undersigned hereby states:

a) ☐ that each item of information cited on the form PTO-1449 was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement; or

b) ☐ that no items of information contained in Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; and

2. ☐ The undersigned hereby authorizes the Patent Office to charge the Petition fee in the Amount of \$180.00 under 37 C.F.R §1.17 (p) to Deposit Account 50-3355.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-3355.

Respectfully submitted,

Caleb Pollack
Attorney/Agent for Applicant(s)
Registration No. 37,912

Dated: December 7, 2006

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Substitute for form 1449A/PTO

Complete if Known**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

7

Application Number

10/516,407

Filing Date

December 2, 2004

First Named Inventor

MOSES, Elisha

Art Unit

2881

Examiner Name

SMITH, JOHNNIE L

Attorney Docket Number

P-7448-US

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number Number-Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------|--------------------------|---|--------------------------------|--|---|
| | A | US-3,218,459 | 11-16-1965 | Bens | |
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Examiner
SignatureDate
Considered

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The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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|---|------------------|----|---|--------------------------|------------------|
| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | 10/516,407 |
| | | | | Filing Date | December 2, 2004 |
| | | | | First Named Inventor | MOSES, Elisha |
| | | | | Art Unit | 2881 |
| Examiner Name | SMITH, JOHNNIE L | | | | |
| Sheet | 2 | of | 7 | Attorney Docket Number | P-7448-US |

| U. S. PATENT DOCUMENTS | | | | | |
|------------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | BH | US-5,859,699 | 01-12-1999 | Baer, et al. | |
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| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Country Code ³ | Number ⁴ Kind Code ⁵ (if known) | | | |
| | BP | WO | 02/45125 | 06-06-2002 | YEDA RESEARCH DEVELOPMENT CO. LTD. | <input type="checkbox"/> |
| | BQ | WO | 02/14830 | 02-21-2002 | YEDA RESEARCH DEVELOPMENT CO. LTD. | <input type="checkbox"/> |
| | BR | WO | 03/104848 | 01-18-2003 | QUANTOMIX, LTD | <input type="checkbox"/> |
| | BS | WO | 2004/075209 | 02-09-2004 | QUANTOMIX, LTD. | <input type="checkbox"/> |
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| Examiner Signature | | Date Considered | |
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| Sheet | 3 | of | 7 | Attorney Docket Number | P-7448-US |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|--------------------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (where appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | BT | Angulo P., "Nonalcoholic Fatty Liver Disease", N. Engl J. Med, Vol. 346, No. 16, 1221-31, 2002 | <input type="checkbox"/> |
| | BU | Ault K.A. et al. "In-Vivo Biotinylation Demonstrates that Reticulated Platelets are the Youngest Platelets in Circulation", Exp Hematology, 23, 996-1001, 1995. | <input type="checkbox"/> |
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| | BZ | Burns W. A. et al., "The Clinician's View of Diagnostic Electron Microscopy", Human Pathology, 6, 467-78, 1975. | <input type="checkbox"/> |
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| Examiner Signature | Date Considered |
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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| Sheet | 4 | of | 7 | Attorney Docket Number | P-7448-US |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|--|--------------------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (where appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | CG | Dykstra M.J. et al, "Suggested Standard Operating Procedures (SOPs) for the Preparation of Electron Microscopy Samples for Toxicology/Pathology Studies in a GLP Environment", Toxicologic Pathology, Vol XXX, 735-743, 2002. | <input type="checkbox"/> |
| | CH | Feinerman & Crewe, "Miniature Electron Optics", Advances in Imaging and Electron Physics, Vol. 102, 187, 1998. | <input type="checkbox"/> |
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| | CS | Handley & Olsen, "Butvar B-98 As A Thin Support Film", Ultramicroscopy Vol. 4, 479-480, 1979. | |
| | CT | Hard G. C. et al., "Risk Assessment of d-Limonene: An Example of Male Rat-Specific Renal Tumorigens", Critical Reviews in Toxicology, 24 (3), 231-254, 1994. | |
| | CU | Harris L. G. et al., "Contrast Optimisation for Backscattered Electron Imaging of Resin Embedded Cells", Scanning Microscopy, Vol. 13, No. 1, 71-81, 1999. | |

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| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (where appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | CV | Hayat, M.A., "Principles and Techniques of Electron Microscopy – Biological Applications", Fourth edition, Cambridge University Press, 2000. | |
| | CW | Hermann, R., Walther, P. and Müller, M., "Immunogold-labeling in Scanning Electron Microscopy", Histochem. Cell. Biol., 106, 31-39, 1996. | |
| | CX | Herrera G. A., "The Value of Electron Microscopy in the Diagnosis and Clinical Management of Lupus Nephritis", Ultrastructural Pathology 23, 63-77, 1999. | |
| | CY | Hoffman-Fezer et al., "Preclinical Evaluation of Biotin Labeling for Red Cell Survival Testing" Annals of Hematology, Vol. 74, 231-238, 1997. | |
| | CZ | Hollinshead M. et al., "Anti-biotin Antibodies Offer Superior Organelle-specific Labeling of Mitochondria over Avidin or Streptavidin", The Journal of Histochemistry & Cytochemistry, 45 (8), 1053-7, 1997. | |
| | DA | Hough P.V.C. et al., "Identification Of Biological Molecules in situ at High Resolution via the Fluorescence Excited by a Scanning Electron Beam", Proceedings of the National Academy of Sciences of the United States of America, Vol. 73, No. 2, 317-321, 1976. | |
| | DB | J.B. Steyn, et al, "An Efficient Spectroscopic Detection System for Cathodoluminescence Mode Scanning Electron Microscopy (SEM)", Journal of Microscopy, Vol. 107, Pt 2, July 1976, pp. 107-128. | |
| | DC | Kelley D. E. et al, "Dysfunction of Mitochondria in Human Skeletal Muscle in Type 2 Diabetes", Diabetes Vol. 51, 2944-2950, 2002 | |
| | DD | Kelley D. E. et al, "Muscle Triglyceride and Insulin Resistance", Annu. Rev. Nutr. 22, 325-46, 2002 | |
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| Examiner Signature | | Date Considered | |
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| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | Complete if Known | |
| | | | | Application Number | 10/516,407 |
| | | | | Filing Date | December 2, 2004 |
| | | | | First Named Inventor | MOSES, Elisha |
| (use as many sheets as necessary) | | | | Art Unit | 2881 |
| | | | | Examiner Name | SMITH, JOHNNIE L |
| Sheet | 6 | of | 7 | Attorney Docket Number | P-7448-US |

| NON PATENT LITERATURE DOCUMENTS | | | | |
|---------------------------------|-----------------------|--|----------------|--|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (where appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² | |
| | DJ | McGovern S. L. et al, "A Common Mechanism Underlying Promiscuous Inhibitors from Virtual and High-Throughput Screening", J. Med. Chem, 45, 1712-1722, 2002 | | |
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| Examiner Signature | | Date Considered | |
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| | | | | Application Number | 10/516,407 |
| | | | | Filing Date | December 2, 2004 |
| | | | | First Named Inventor | MOSES, Elisha |
| | | | | Art Unit | 2881 |
| (use as many sheets as necessary) | | | | Examiner Name | SMITH, JOHNNIE L |
| Sheet | 7 | of | 7 | Attorney Docket Number | P-7448-US |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (where appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | DV | Swift & Brown, J. Phys. E: Sci. Instrum. 3, 924-926, 1970. | |
| | DW | Thornley, "New Applications of the Scanning Electron Microscope", Ph. D Dissertation 3886, Corpus Christi College, Cambridge, 1960 | |
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| | EC | Schlessinger J., "Ligand-Induced, Receptor-Mediated Dimerization and Activation of EGF Receptor", Cell Vol. 110, 669-672, 2002 | |
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